## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:22-cr-263-MOC

UNITED STATES OF AMERICA,	)	
	)	
	)	
	)	
Vs.	)	ORDER
	)	
JAMES EDWARD BLACKMON,	)	
T. 0. 1	)	
Defendant.	)	

**THIS MATTER** is before the Court on Defendant's pro se Motion for Early Termination of Probation/Supervised Release. (Doc. No. 4). The Government has filed a response opposing Defendant's motion. (Doc. No. 6). For the following reasons, the motion is denied.

## I. BACKGROUND AND DISCUSSION

On February 22, 2008, the Honorable Matthew J. Perry, Jr., sentenced Defendant to a term of life imprisonment, to be followed by 10 years of supervised release. (Doc. No. 1-1, p. 2: Judgment,). On January 16, 2020, the Honorable Margaret B. Seymour reduced Defendant's term of imprisonment to eight (8) years pursuant to 18 U.S.C. § 3582(c)(1)(B). (Doc. No. 1-2: Amended Order). On January 6, 2021, Judge Seymour reduced Defendant's term of imprisonment to time-served, to be followed by eight (8) years of supervised release pursuant to § 404(b) of the First Step Act of 2018. (Doc. No. 1-3: Amended Judgment).

In his motion, Defendant cites his compliance with his terms and conditions, his employment, and his desire to travel as the basis for his request for early termination. (Doc. No. 4: Request for Early Release). Defendant describes early termination as a means for him to "get

[his] LIFE back" through his renewed ability to travel "as needed." (<u>Id.</u>). Defendant concedes in his motion that the USPO frequently approves Defendant's request to travel internationally, to locations including Mexico, the Bahamas, and Italy. (<u>Id.</u>).

Both the Government and the USPO oppose early termination at this time. In responding to the motion, the Government states that the USPO has confirmed that Defendant has been a model supervisee since his transfer to the Western District of North Carolina on November 3, 2022. The Government further argues, however, that Defendant's efforts do not justify the elimination of more than seventy-five (75) percent of his supervised release. The Government notes that the USPO in the Western District of North Carolina generally requires a supervisee to have completed two-thirds of a court ordered supervision term before the USPO will join in a recommendation for early termination. The Government states that both the Government and the USPO, therefore, oppose granting Defendant's motion at this time.

This Court agrees with the Government that it is premature to grant Defendant early termination at this time. If Defendant continues to be successful while on supervised release, however, the Court will entertain a subsequent motion by Defendant once he has served at least two-thirds of his supervision.

In sum, Defendant's pro se Motion for Early Termination of Probation/Supervised Release, (Doc. No. 4), is **DENIED** at this time.

Signed: March 10, 2023

Max O. Cogburn Jr United States District Judge